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23 May 1995

ORIGINAL: ENGLISH

LETTER DATED 19 MAY 1995 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

You will recall that in its Presidential statement of 27 April 1995 (S/PRST/1995/22), the Security Council welcomed the decision of the Rwandan authorities to establish an independent inquiry with United Nations and other international participation to carry out an investigation of the events at Kibeho and requested the Secretary-General to report to it on these events and on the role of the United Nations Assistance Mission for Rwanda (UNAMIR).

The Independent International Commission of Inquiry commenced its work in Rwanda on 8 May 1995 and concluded it on 18 May 1995, on which day it completed its report. Since the Commission made the report public in Kigali, it also was made available to the media here today.

(Signed) Boutros BOUTROS-GHALI

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Annex

Report of the Independent International Commission of Inquiry into the events at Kibeho in April 1995

1. An outbreak of violence at the camp for internally displaced persons in Kibeho (south-western Rwanda) on 22 April 1995, which resulted in a considerable number of deaths, has aroused shock and horror both in Rwanda itself and the international public. Diverging accounts were given of what exactly had happened, of the numbers of casualties and of the responsibilities of different parties.

2. In a speech on 27 April 1995, the President of the Rwandese Republic, Mr. Pasteur Bizimungu, announced the establishment of an Independent International Commission of Inquiry and invited Belgium, Canada, France, Germany, the Netherlands, the United Nations Organization and the Organization of African Unity (OAU) to participate, together with Rwanda, in the work of the Commission. President Bizimungu set out a number of questions (see below) concerning the Kibeho incident, to which the Commission was to answer and which were to serve as terms of reference.

3. The Commission was formally established in Kigali on 3 May 1995 and it held its first working session on 8 May 1995 with the following members present:

Mr. Marc BRISSET-FOUCAULT, Prosecutor (France)

Mr. Bernard DUSSAULT, diplomat (Canada)

Mr. Koen de FEYTER, Professor of International Law (Belgium)

Mr. Karl FLITTNER, diplomat (Germany)

Mr. Ataul KARIM, diplomat (United Nations organizations)

Dr. Ashraf KHAN, Forensic Pathologist (United Kingdom of Great Britain and Northern Ireland)

Mr. Maurice NYBERG, lawyer (United States of America)

Colonel-Major Abdelaziz SKIK, military expert (OAU)

Ms. Christine UMUTONI, lawyer (Rwanda)

Mr. Ernst WESSELIUS, Prosecutor (Netherlands)

4. At its first working meeting, the Commission appointed by consensus Colonel-Major Skik as its President, Mr. Dussault as its Vice-President and Mr. Wesselius as its Secretary/Rapporteur.

5. The Commission was assisted in its work by:

Mr. Claude Cozar, Prosecutor (France)

Mr. Ron Newman, criminologist (Canada)

Mr. Jan Wilken, criminologist (Netherlands)

as well as by representatives of different ministries of the Government of Rwanda in their capacity as expert advisers.

6. On the basis of numerous interviews with witnesses of the events held in Kigali, Kibeho and Butare between 10 and 17 May 1995, several visits to the site and forensic investigation research in the Kibeho area, as well as briefings given by United Nations and Rwandan officials, the Commission hereby submits its report to the President of the Rwandese Republic on 18 May 1995.

I. CLOSURE OF THE CAMPS

Questions

(a) In which context was taken the decision to close the camps, and what about this very one (Kibeho)?

(b) Especially, what information about militia in the camps was available?

(c) Before proceeding with the closure, did the Government consult various partners involved in this matter?

(d) Was the closure operation aimed to eliminate a certain category of people, especially one ethnic group?

7. Following the assassination of the Presidents of Burundi and Rwanda in the vicinity of Kigali airport on 6 April 1994, a genocide began that would cost the lives of several hundred thousand Rwandans. A civil war started that would lead to the liberation of the country and the establishment of a national coalition Government on 19 July 1994.

8. During those sad months, Rwanda saw both its material and social infrastructure practically destroyed. Kigali city had no more than some tens of thousands of inhabitants and a large part of the Rwandan people were refugees in Zaire, the United Republic of Tanzania and Burundi or were displaced within the country. In addition, hundreds of thousands were dead. Administrative buildings had been pillaged, damaged and sometimes destroyed and services (water, electricity, communications, social) were non-existent. The Government found itself faced with an enormous and complex task, compounded by the problems of bringing the perpetrators of genocide to justice.

9. As soon as the Government was instituted, it could see, as could the international community, that one of the priorities had to be the return of refugees and displaced persons to their home communes. The return of these

people was necessary and urgent in order to restart the Rwandan society and economy, to relieve the destabilizing pressure of the presence of these refugees throughout the region and also for reasons of national security. Indeed, it appeared obvious that, as long as the refugees and displaced persons were not reintegrated into Rwandan society, they would constitute a threat to the security of Rwanda and a permanent social burden.

10. At that time, the international community saw the importance of assisting Rwanda to instill a feeling of security in the country so as to facilitate the return of refugees and displaced persons. Upon the request of the Rwandan Government, the United Nations Assistance Mission for Rwanda (UNAMIR), with a contingent of more than 5,500 troops, was deployed with this intention already in early September 1994. In the course of the same month, international cooperation was mobilized in order to rehabilitate certain infrastructures. Discussions were begun with neighbouring countries, OAU, the United Nations and particularly the Office of the United Nations High Commissioner for Refugees (UNHCR) in order to organize a conference on refugees and displaced persons. Studies were also begun jointly by Rwandan and international experts with a view to preparing a national plan of action that could be supported by donors. The plan in question was submitted in January 1995 at Geneva and the international community responded by pledging some US$ 600 million of the US$ 780 million requested.

11. All these initiatives made possible a steady and significant return of refugees and displaced persons to their communes. Rwanda began normalizing and, over the months, the capital re-established its population and its activities. Many peasants returned to their communes and a sizeable population inhabits Rwanda today. It was still important, however, that all refugees and displaced persons should return home. Unfortunately, a significant number of refugees outside the country and internally displaced persons in camps located in the former protected zone in southern Rwanda refused to return voluntarily for reasons of security, but also because many of these camps were infiltrated by genocidal criminal elements, groups of militiamen and regrouped military. There was fear of eventual rearming; military training was observed to take place. Another factor was that refugees and internally displaced persons gradually became dependent on living conditions provided in the camps.

12. In December 1994, there still remained within the country 38 internally displaced persons camps and Kibeho camp appeared to be a centre of hostility and a threat to internal security.

13. UNAMIR, in consultation with the Government, decided to launch Operation Hope in order to disarm Kibeho. While UNAMIR searched for arms within the camp, the Rwandese Patriotic Army maintained a security cordon on the outside. This operation, which had worried humanitarian organizations, proceeded well, without loss of life. It sent a clear message to those inside Kibeho camp that the Rwandan Government as well as the international community would not accept subversion at Kibeho camp.

14. There was still an urgent need to close the internally displaced persons camps. The Rwandan Government announced the final closure of the camps by the

end of December 1994. The discussions that followed between the Rwandan Government and UNAMIR led to the launching of Operation Return.

15. With a view to supporting Operation Return, a working group was established with the assistance of UNAMIR, including government authorities, United Nations agencies and non-governmental organizations (NGOs), for the purpose of defining and developing policies and strategies concerning internally displaced persons with a view to putting forward as soon as possible a plan of action to make possible the return of these people to their home communes. In order to facilitate the task of the working group and to oversee the implementation of the action plan, the Integrated Operations Centre was established and in March 1995, 21 persons were employed there full time and 38 persons part time.

16. The first formal meeting of the Integrated Operations Centre working group was held on 6 February 1995. Operation Return was reviewed and it was agreed as of then to launch phase II, as the initial operation had had some success but was beginning to run out of steam.

17. In the meantime, faced with the urgency of the situation and the deterioration of security within the camps, the international community, with the support of OAU, UNHCR, as well as many individual countries, agreed to the terms of reference of a conference on refugees and displaced persons in the Great Lakes area, to be held in Bujumbura, from 12 to 17 February 1995. A plan of action was adopted at the end of the Ministerial Conference. Those components concerning Rwanda were as follows:

(a) Measures to be taken by Rwanda:

(i) To continue to broadcast solemn declarations by all competent authorities involved in welcoming in dignity and security refugees and displaced persons within its national borders (para. 23 (b));

(ii) To continue to cooperate fully in the context of a coordinated humanitarian strategy and making good use of functions of the Integrated Operations Centre, with the United Nations agencies and the NGOs in order to facilitate the voluntary return of persons displaced within its national borders (para. 23 (d));

(b) Measures to be taken by the international community:

To support and encourage activities in Burundi and Rwanda which encourage the process of national reconciliation and the voluntary return of displaced persons and refugees to their home communes (para. 30 (a)).

18. On 20 February 1995, the Integrated Operations Centre working group could but observe that very few internally displaced persons had returned to their communes in the preceding week, and on 27 February 1995, the working group noted that Operation Return was no longer yielding satisfactory results, that internally displaced persons did not want to go home, that Kibeho camp was a source of insecurity and that the publicity campaign was not yielding the expected results. The conclusion was reached that Kibeho was becoming a

criminals' sanctuary and that there was no final strategy to have the internally displaced persons return home.

19. In the course of the month of March 1995, the question of security continued to dominate Operation Return. The operation was paralysed by questions of security in the communes, in the camps and in the country. This increased the urgent need that something had to be done.

20. On 6 March 1995, it was agreed officially that 37,000 persons had been transported to their home communes and that a similar number had gone home by foot. It was also agreed that, of that number, 60 per cent had stayed home. Finally, it was noted that there remained 250,000 internally displaced persons and, of that number, 120,000 were then in Kibeho.

21. In view of the new importance of Kibeho camp, the insecurity, the continued dependency of the internally displaced persons on relief and the growing impatience of the Government vis-à-vis these camps and the international community, it had become urgent to review the situation. Many options were discussed on 6 March 1995; more specifically, the following five possibilities were considered:

(a) Closure, as soon as possible and by all possible means;

(b) Voluntary return and the closure of some camps while keeping one or two;

(c) Moving the displaced persons to smaller camps in the vicinity of their home communes;

(d) Reorganization of existing camps by grouping people from the same home commune together;

(e) Photographic record of all displaced persons and regrouping in four permanently patrolled camps.

22. At its meeting on 9 March 1995, the Integrated Operations Centre agreed on the need to close the camps and the five options were reviewed.

23. On 15 March 1995, a strategy was worked on to cover both national security concerns and the need for the return of displaced persons to their home communes. It was agreed to improve reintegration facilities and security in communes; in the camps, it was agreed to increase security and improve the publicity campaign, to arrest intimidators and those who had participated in the genocide. Finally, a proposal was made to register internally displaced persons, to have them move by foot and by vehicle and to end the distribution of food. The operation would end after four weeks with the systematic interrogation of persons remaining in the camps. This strategy, after acceptance by the Government, would be set in motion at most a week after its approval.

24. On 20 March 1995, the urgent need to close the camps was stressed.

25. On 27 March 1995, the Prefect of Gikongoro stated that, for reasons of public order, he could no longer accept the presence of camps in his prefecture.

26. In its information bulletin of 27 March 1995, the Integrated Operations Centre stated that the Government had reiterated its desire to see internally displaced persons back home as soon as possible. It is interesting to note that at that time the figure of 84,000 was used for the number of people in Kibeho.

27. At the time of that Integrated Operations Centre meeting, the representative of the Integrated Operations Centre declared that it would be unfortunate to begin the operation as decided within a fortnight because it would coincide with 6 April 1995, the day of the first anniversary of the start of the genocide, and that it would therefore be preferable to postpone it for a week.

28. The meeting of 2 April 1995 served to clarify certain components, including transport of refugees and curfew in the camps.

29. In a document signed by the Chairman of the Task Force of the Integrated Operations Centre, dated 15 April 1995, it was noted that, at the 3 April 1995 meeting, it had been decided to identify cooperation mechanisms between the armed forces, UNAMIR and human rights observers with regard to the operation as well as arrest and detention procedures. It was also agreed that all members of the working group were ready to launch the operation.

30. In support of the strategy to close the camps, at the request of the Minister of Rehabilitation and Social Integration and of the Minister of Interior, and after consulting with the President, the Vice-President and Minister of Defence decided to deploy the armed forces to surround the remaining eight internally displaced persons camps, including Kibeho.

31. There is no evidence to suggest that the operation was intended to eliminate a certain category of people, especially those belonging to one ethnic group.

II. CONDUCT OF THE OPERATION

Question

How was the operation carried out since 18 April and what actually happened on 22 and 23 April 1995?

32. During the night of 17-18 April 1995, the Rwandese Patriotic Army surrounded the remaining internally displaced persons camps, including the Kibeho camp. At Kibeho, the frightened internally displaced persons moved into the area between the Zambian Company headquarters and the Zambian platoon compound (ZAMBATT). There is conflicting evidence as to whether they moved voluntarily or were coerced into moving.

33. According to both the Rwandese Patriotic Army and UNAMIR witnesses, there was sporadic gunfire. On the morning of 18 April, witness testimony agreed that a stampede resulted in the death of 8 to 11 children.

34. On 19 April 1995, the Rwandese Patriotic Army Chief of Staff and the UNAMIR Deputy Force Commander visited the camp to explain the situation. Many internally displaced persons indicated that they were willing to go home. The slow progress of the registration procedure and the lack of transport added to the problems.

35. On 19 and 20 April 1995, approximately 5,000 internally displaced persons were searched and successfully registered by the Rwandese Patriotic Army and other government agencies and transported to their home communes by UNAMIR. During the process of registration, some of the internally displaced persons were identified as having participated in the genocide by some witnesses.

36. Over this period, the sanitary and other living conditions in the camp deteriorated drastically.

37. Generally, there was no intimidation or violence directed at the internally displaced persons by the Rwandese Patriotic Army, nor hostility by the internally displaced persons towards the Rwandese Patriotic Army. There is some evidence of hostility among the internally displaced persons. In a few instances, the internally displaced persons threw stones at the Rwandese Patriotic Army and, according to some reports, tried to snatch Rwandese Patriotic Army weapons, which resulted in the Rwandese Patriotic Army opening fire and killing between 13 and 22 internally displaced persons.

38. The limited delivery of food and water and general facilities were used as an incentive for the internally displaced persons to leave the camp.

39. In the late afternoon of 20 April 1995, it started to rain. This affected road conditions and worsened the transportation problems.

40. Around midday on 22 April 1995, a large group of internally displaced persons broke through the cordon in the vicinity of the ZAMBATT positions. According to Rwandese Patriotic Army witnesses, there was firing from among the internally displaced persons and the Rwandese Patriotic Army suffered casualties. Internally displaced persons continued to run down the side of the hill into the valley. The Rwandese Patriotic Army responded by firing into the crowd. There is agreement that automatic rifles and machine-guns were employed. Numerous casualties resulted among the internally displaced persons.

41. After the incident, the cordon was re-established. In the late afternoon the cordon was breached for a second time, this time to the west of the camp. Large groups of people ran down the valley. Rwandese Patriotic Army witnesses indicated that some internally displaced persons carried rifles and others were armed with traditional weapons such as machetes and stones. Rwandese Patriotic Army witnesses indicated that there was firing from the internally displaced persons that caused casualties to some Rwandese Patriotic Army soldiers. There is evidence that firearms were captured.

42. The Rwandese Patriotic Army again responded by firing into the crowd, causing numerous casualties. It is clear that automatic rifles and machine-guns were used. Most witnesses from UNAMIR and from one NGO indicate that heavier weapons such as grenades and rocket-propelled grenades were used. There is conflicting UNAMIR testimony on the use of a mortar. It is of interest to note that no physical evidence of mortar fire has been found.

43. There is evidence to indicate that many suffered injuries from machete, stampede and weapons fire, but the exact proportions cannot be determined. There is agreement that machetes were not used by uniformed personnel but rather by civilians.

44. UNAMIR witness testimony indicates that a number of summary executions of internally displaced persons by Rwandese Patriotic Army soldiers took place.

45. During the night of 22 April 1995, there was sporadic fire around the Kibeho camp area including, according to some UNAMIR and Rwandese Patriotic Army sources, sniper fire from the internally displaced persons compound over the ZAMBATT Company headquarters. UNAMIR soldiers were unable to respond because of an inability to distinguish between hostile and non-hostile targets. There were also machete attacks among the internally displaced persons.

46. UNAMIR witnesses indicate that Rwandese Patriotic Army soldiers were burying bodies in pit latrines and shallow graves. Approximately 15 latrines were examined by the Commission and in one of them the body of one child was found. Rwandese Patriotic Army witnesses indicate that bodies washed up in rain after the incident and were subsequently reburied.

47. The scientific evidence corroborated other evidence that bodies related to the Kibeho incident had been buried outside the Kibeho camp. Among the bodies identified, the cause of death ranged from machete, firearm injuries and findings consistent with trampling and hunger. Owing to logistic and time constraints, it was not possible to determine the exact number of fatalities, but it is apparent that the numbers are more than those formally counted in the Kibeho camp.

48. It is interesting to note the unusual discrepancy between the various initial counts and estimates of fatalities and the actual number of non-fatal casualties, suggesting overestimation in the initial fatality counts and estimates.

III. THE ROLE OF THE VARIOUS PARTIES

Question

What was the role, the limitations and the behaviour of the Rwandese Army, non-governmental organizations and UNAMIR?

49. The Commission finds that the operation of the Government of Rwanda to close the internally displaced persons camps was well planned, but that failures occurred in the implementation and ensuing panic. The reactions of the Rwandese

Patriotic Army soldiers to the threat at that stage were disproportionate and, therefore, violative of international law. The Rwandese Patriotic Army did not distinguish between hostile and non-hostile targets and indiscriminate fire by Rwandese Patriotic Army soldiers occurred. There are credible indications that individual Rwandese Patriotic Army soldiers committed summary executions.

Rwandese Patriotic Army

50. The following circumstances contributed to the behaviour of the Rwandese Patriotic Army:

(a) Deficiencies in communication systems. Within the Rwandese Patriotic Army, radios exist at best at the level of the Company Commander and above. The Rwandese Patriotic Army relies on couriers and word-of-mouth to communicate information up the chain-of-command and orders back down. In a crisis situation that changes quickly, it can be very difficult to commanding officers to remain in control;

(b) Deficiencies in equipment. The Rwandese Patriotic Army has limited means with which to apply force. The Rwandese Patriotic Army uses its presence as a form of deterrence and firing in the air as a means of non-lethal force. When these methods are exhausted, there exists an escalation to deadly force. Such methods as tear gas, water cannons, rubber bullets and batons and shields as used for crowd control are not available within the Rwandese Patriotic Army;

(c) Deficiencies in training. The Rwandese Patriotic Army is trained as a guerrilla army and not in law enforcement and security techniques;

(d) Deficiencies in experience. The Rwandese Patriotic Army has never engaged in an operation similar to this. Once the operation unfolded, soldiers relied on a background of little relevance to the problem of separating hostile from non-hostile forces;

(e) Foreseeability. Given the background of genocide, the insecurity in the camp and surrounding area, the unwillingness of people to leave the camp, and examples of hostility towards the Rwandese Patriotic Army from within the camp, it is suggested that the Rwandese Patriotic Army command failed to appreciate the determination with which hard-core elements would refuse to leave the camp voluntarily.

Non-governmental organizations

51. There are credible indications that some NGOs actively contradicted the policies of the Government of Rwanda by encouraging internally displaced persons to remain in Kibeho camp and by pursuing discriminatory hiring practices. Moreover, the decision of a number of NGOs not to cooperate with the closure operation once it began exacerbated the humanitarian crisis.

UNAMIR

52. The mandate of UNAMIR requires it to contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda,

including through the establishment and maintenance, where feasible, of secure humanitarian areas.

53. Security Council resolution 965 (1994) requires UNAMIR to protect displaced persons against risks from whatever source, including from the internally displaced persons themselves. There is strong evidence that hard-core criminal elements existed within UNAMIR-protected zones where they engaged in intimidation and acts of violence. UNAMIR did not respond adequately to this situation.

Question

What was the part played by the militia?

54. There was very strong evidence that, over the months that preceded the camp closure operation, there was a heavy build-up of what is known in Rwanda as hard-core elements. By hard-core elements, the Commission means extremists who most likely were deeply involved in criminal activities. The Commission found numerous indications of the widespread use of machetes and other traditional weapons in acts of violence and of a number of firearms within the camp population.

55. The activities of these hard-core elements ranged from verbal intimidation to physical violence and were instrumental in creating an atmosphere of panic among the internally displaced persons, culminating on 22 April 1995. The Commission was not able to obtain specific information on the organization and structure of these hard-core elements.

IV. CONCLUSIONS

Question

Who is actually responsible for the deaths in Kibeho?

56. In the opinion of the Independent International Commission of Inquiry, the tragedy of Kibeho neither resulted from a planned action by Rwandan authorities to kill a certain group of people, nor was it an accident that could not have been prevented.

57. The Commission recognizes the legitimate interests of the Rwandan Government and of the international community to have the displaced persons camps closed as quickly as possible, both for reasons of national security and in order to remove an important obstacle to the country's efforts to recover from the devastating effects of last year's genocide.

58. The Commission recognizes the efforts made by the Special Representative of the Secretary-General, UNAMIR, the Government of Rwanda and other organizations to keep the situation at Kibeho under control.

59. The Commission regrets that United Nations agencies and NGOs were not able to contribute more efficiently to the speedy evacuation of internally displaced persons from the camp.

60. There is sufficient reliable evidence to establish that, during the events at Kibeho camp between 18 and 23 April 1995, unarmed internally displaced persons were subjected to arbitrary deprivation of life and serious bodily harm by Rwandese Patriotic Army military personnel in violation of human rights and humanitarian law.

61. There is sufficient reliable evidence to establish that, during the events at Kibeho camp between 18 and 23 April 1995, unarmed internally displaced persons were subjected to serious human rights abuses, including arbitrary deprivation of life and serious bodily harm, committed by armed elements among the internally displaced persons themselves.

V. RECOMMENDATIONS

62. The Commission welcomes the initiative taken by the Rwandan Government to carry out an investigation at the national level. The Commission calls upon the Rwandan authorities to carry out an analysis of mistakes that occurred in the preparation and handling of the closure of the camps, as well as a thorough, prompt and impartial investigation of individual responsibilities within its armed forces and any other factors that may have contributed to the event.

63. In the future, high priority should be given to improving the capability of Rwandan State and local authorities to react adequately and within the internationally recognized framework of human rights and of humanitarian law to situations of social tension and emergency.

64. The Commission recommends that the international community continue encouraging and assisting Rwanda in its efforts to achieve justice, national reconciliation and reconstruction.

65. The Commission calls on the United Nations system to review its chain-of-command and its operation procedures to make sure that in the future an entire operation is not held hostage or bogged down by one or several agencies and organizations with limited mandates and responsibilities.

Done at Kigali,

on the 18th of May 1995

(Signed): Marc BRISSET-FOUCAULT

Bernard DUSSAULT

Koen de FEYTER

Karl FLITTNER

Ataul KARIM

Ashraf KHAN

Maurice NYBERG

Abdelaziz SKIK

Ms. Christine UMUTONI

Mr. Ernst WESSELIUS

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GENERAL ASSEMBLY
Fiftieth session
Item 20 (b) of the
preliminary list*
STRENGTHENING OF THE COORDINATION OF HUMANITARIAN AND DISASTER RELIEF ASSISTANCE OF THE UNITED NATIONS, INCLUDING SPECIAL ECONOMIC ASSISTANCE:
SPECIAL ECONOMIC ASSISTANCE TO INDIVIDUAL COUNTRIES OR REGIONS

SECURITY COUNCIL
Fiftieth year

Letter dated 18 May 1995 from the Permanent Representatives of Bulgaria, Greece, the Republic of Moldova, Romania and Ukraine to the United Nations addressed to the Secretary-General

We have the honour, on behalf of our Ministers for Foreign Affairs, to transmit the enclosed letter (see annex) related to the special economic problems of the States directly affected by the implementation of the Security Council resolutions imposing trade and economic sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro).

We have the honour to request that the text of the present letter and the enclosed letter be circulated as a document of the General Assembly, under item 20 (b) of the preliminary list, and of the Security Council.

(Signed) Slavi PASHOVSKI
Permanent Representative of
Bulgaria to the United Nations

(Signed) Christos ZACHARAKIS
Permanent Representative of
Greece to the United Nations

(Signed) Tudor PANTIRU
Permanent Representative of the
Republic of Moldova to the
United Nations

(Signed) Ion GORITA
Permanent Representative of
Romania to the United Nations

(Signed) Anatoli M. ZLENKO
Permanent Representative of
Ukraine to the United Nations

* A/50/50.

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ANNEX

Letter from the States directly affected by the implementation of the Security Council resolutions imposing trade and economic sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) addressed to the Secretary-General of the United Nations

For over two years now the international community has consistently acknowledged that the comprehensive sanctions regime against the Federal Republic of Yugoslavia (Serbia and Montenegro) has created special economic problems and has caused great losses to a number of third countries. The issue of special economic assistance to States affected by the implementation of the Security Council resolutions imposing trade and economic sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) was discussed both at the forty-eighth and forty-ninth sessions of the General Assembly.

As a result, two resolutions (48/210 and 49/21 A) were adopted by the General Assembly by consensus. The urgent need to alleviate the special economic problems arising from the strict enforcement of the sanctions was underscored once again in the path-breaking position paper entitled "Supplement to an Agenda for Peace" (A/50/60-S/1995/1).

Regrettably, however, these problems still remain unsolved - at present there is no relevant mechanism for dealing with them.

Mr. Secretary-General,

We would like, therefore, to bring again to your attention the burden that the sanctions impose on our countries. Furthermore, the sanctions are having a considerable and longer-term negative impact on the overall economic and social situation in the affected third countries and, hence, on regional security and stability.

Thus, we are of the opinion that the following initial steps should be undertaken as a matter of priority:

1. Speeding up the procedures of processing the applications, as well as general enhancement of the capabilities of the Sanctions Committee established pursuant to Security Council resolution 724 (1991): The affected countries express their hope that their numerous submissions to the Sanctions Committee, including applications for transshipment and deliveries of humanitarian goods, shall be treated most expeditiously and on a priority basis by the members of the Committee. Some practical proposals for strictly monitored land and Danube transshipments submitted by our countries are still awaiting the response of the Sanctions Committee.

2. Easing the access of companies from the interested affected countries to orders by United Nations humanitarian organizations for rendering

humanitarian assistance to Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montenegro).

3. Allocation of additional financial resources in order to carry out long-term transport infrastructure projects: For this purpose, a special meeting with the participation of the International Monetary Fund (IMF), the World Bank, the European Bank for Reconstruction and Development, the United Nations funding agencies, the major donor countries and the interested affected States should be convened as soon as possible.

4. Additional measures or special assistance projects in the fields of telecommunications, energy, water supply, environment, and so forth: These could be also considered at a special United Nations inter-agency consultative meeting with the participation of the relevant United Nations agencies and programmes and interested Member States.

5. Enhanced technical assistance and analytical support of the international financial institutions for the objective estimate of losses and their impact on the balance of payments and the national economies of the affected countries: The international financial institutions have extensive expertise and substantial programmes for financial and technical assistance to many of the affected countries. In view of the immediate hardships encountered, and the urgent needs faced by the affected countries, these programmes should be updated to make them responsive to the particular problems of the countries concerned. Therefore, a request by the Secretary-General addressed to the international financial institutions to prepare a special analytical report with assessment of the sanctions impact on the national economies, the balance of payments and other related matters seems highly appropriate. This report should also include practical proposals aimed at assuring access for the affected countries to the IMF compensatory and contingency facilities.

6. Elaboration of a special mechanism to address effectively and systematically the adverse effects of sanctions on non-target States: a useful step in this direction will be the preparation by the Secretariat of the report mandated by paragraph 3 of General Assembly resolution 49/58 on the practical ways and means of implementing Article 50 of the United Nations Charter. This report could include, inter alia, a review of the recent proposals elaborated by the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, as well as a practical evaluation of the anticipated special report by IMF and the World Bank.

One of the challenges facing the United Nations today is related to the extent to which it would prove able to resolve the special economic problems of the countries affected by the implementation of sanctions imposed by the Security Council. Therefore, we trust that these requests of ours will be considered on an urgent basis and that respective measures will be taken for their implementation.

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LETTER DATED 24 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF AZERBAIJAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you a statement issued on 23 May 1995 by the Ministry of Foreign Affairs of the Azerbaijani Republic and to request that you have it circulated as a document of the Security Council.

(Signed) Eldar KOULIEV
Permanent Representative

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Annex

Statement issued on 23 May 1995 by the Ministry of Foreign Affairs of the Azerbaijani Republic

On 22 May 1995, the Ministry of Foreign Affairs of Armenia circulated a statement announcing the Armenian Government's decision to suspend its participation in the negotiations being conducted by the Minsk Group of the Organization for Security and Cooperation in Europe (OSCE) with a view to settling the conflict between Armenia and Azerbaijan. The grounds for this decision are the gas pipeline explosions in Georgian territory, which were allegedly carried out by "agents of the Azerbaijani Government".

In this regard, the Ministry of Foreign Affairs of Azerbaijan wishes to state the following.

The Azerbaijani Republic, the object not only of aggression but also of terrorism, which has claimed the lives of hundreds of innocent citizens of Azerbaijan and other countries, has repeatedly presented incontrovertible proof of Armenia's perpetration of terrorist acts against our country. Azerbaijan, which has experienced the tragic consequences of such acts, has condemned and once again condemns the practice of international terrorism.

The awkward statement by the Armenian side, based on "evidence at its disposal" which has not, however, been submitted to the international community, is pursuing the obvious goal of diverting world attention from Armenia's undisguised policy of aggression against Azerbaijan. This policy has resulted in the occupation of 20 per cent of Azerbaijani territory as well as ethnic cleansing, which has led to the expulsion of one million Azerbaijanis from their homes.

In this regard, the Security Council adopted resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993), in which it demanded the immediate, complete and unconditional withdrawal of the armed forces of the Republic of Armenia from all occupied areas of Azerbaijan. The aggressor has ignored such demands.

The statement issued by the Ministry of Foreign Affairs of Armenia is just one more link in the chain of provocations with which the regime is seeking to undermine the cease-fire and prepare public opinion for a possible resumption of major offensives deep into Azerbaijani territory by the armed forces of Armenia.

By its current decision, the Government of Armenia is openly challenging the international community, rejecting its mediatory initiatives to implement the important decisions of the Budapest summit of OSCE and thereby attempting to consolidate the results of its aggressive policy against Azerbaijan. At the same time, the question inevitably arises: how and by what means does Armenia intend to reach a settlement of the conflict between Armenia and Azerbaijan, by suspending its participation in the OSCE negotiations process and putting forward new preconditions?

In the light of the latest statement issued by the Ministry of Foreign Affairs of Armenia, it is surprising that, in response to the proposal by the Azerbaijani delegation at the talks being held under the auspices of the Minsk Group of OSCE to finalize the Political Agreement, the Armenian delegation is unwilling to include a special article on the inadmissibility of terrorism and acts of sabotage. This obvious inconsistency leads to the conclusion that the leaders of Armenia are seeking to use any pretext to disrupt the negotiations process currently taking place in the Minsk Group.

For its part, Azerbaijan reiterates its commitment to observe the cease-fire regime and seek a peaceful settlement of the conflict between Armenia and Azerbaijan within the framework of OSCE.

UNITED
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Security Council

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GENERAL

S/1995/414
24 May 1995

ORIGINAL: ENGLISH

LETTER DATED 24 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith a letter dated 24 May 1995 from the Deputy Prime Minister and Minister for Foreign Affairs of Croatia, Dr. Mate Granic, addressed to you.

I would kindly request your assistance in circulating the present letter and its annex as a document of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

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Annex

Letter dated 24 May 1995 from the Deputy Prime Minister and Minister for Foreign Affairs of Croatia addressed to the President of the Security Council

As the members of the Security Council have been informed on several previous occasions (S/1995/356, S/1995/369, S/1995/371, S/1995/393, S/1995/405 and A/50/178), the situation of the Bosnian Croat Catholic population on the territory of the Republic of Bosnia and Herzegovina under the control of Bosnian Serbs - and in particular in and around Banja Luka - has been rapidly deteriorating in recent weeks. Since 1991, the Diocese of Banja Luka has suffered immensely: a total of over 95,000 Catholics have been expelled, over 400 have been murdered in their homes, 4 priests have been killed, 41 churches and 3 monasteries destroyed, and 32 more churches damaged; only about 27,000 Bosnian Croats remain in the region. Yesterday, an attempt by the local Bosnian Serb authorities to expel the entire Croat population of the village of Zalužani - buses and trucks were brought into the village for that purpose - was prevented, but fear among the population is increasing.

In the same region, over 225,000 Bosniaks have been ethnically cleansed by the Bosnian Serbs. To date 82 per cent of the Bosniak and 81 per cent of the Bosnian Croat pre-war population in the Banja Luka region have been ethnically cleansed.

The local Roman Catholic bishop, Msgr. Dr. Franjo Komarica, began a hunger strike on 17 May 1995 in an attempt to draw the attention of the international community to the Bosnian Serb campaign of terror aimed at the expulsion of the remaining Croat and Bosniak population at Banja Luka, as well as the destruction of churches, mosques and other sacred objects.

The situation is also rapidly deteriorating on the occupied territories of the Republic of Croatia, especially in Eastern Slavonia, and in the adjacent areas of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" in Vojvodina. The Croatian Serb local authorities in Bapska, Tovarnik, Sarengrad and Ilok have expelled over 500 elderly Croats, marching them over the Danube into the "Federal Republic of Yugoslavia (Serbia and Montenegro)". At present, they are held by the authorities of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" in inhumane conditions and isolated in the village of Morović near Šid.

The information available to my Government suggests that their houses are being used for housing the Croatian Serb evacuees from the reintegrated part of Croatia in Western Slavonia. The same appears to be the reason for the renewed suffering of the Croat population in the Banja Luka region. There is no justification for the resettlement of the Croatian Serb population from Western Slavonia, since their civil, political and human rights are respected by the Croatian authorities.

The only remaining Roman Catholic priest in Eastern Slavonia, Father Marko Malović, has been placed under house arrest, and his parishioners

were beaten and harassed during a service in his church in Ilok. In Vojvodina, the attacks on Catholic churches and sacred objects are on the increase. Churches in the villages of Hrtkovci and Vašica have been dynamited and burned down, and the church in Srijemska Mitrovica has been damaged by an explosive device. The Croat population is intimidated.

The Security Council should be concerned about the human rights situation in the region, but regretfully, the emphasis is only on the area of Western Slavonia, where human rights and the Geneva Conventions have been thoroughly respected. The Croatian Government hopes that the Council is about to express the same concerns and take appropriate actions in regard to human rights violations against non-Serbs in Banja Luka and Vojvodina, and in other regions where they are violated such as, for instance, Knin, Vukovar, Sarajevo, Sandžak and Kosovo.

My Government requests that the Security Council meet urgently to discuss the sharply deteriorating situation of human rights of non-Serb populations on the occupied territories of the Republic of Croatia, the territory controlled by Bosnian Serbs in the Republic of Bosnia and Herzegovina, and the territory of the "Federal Republic of Yugoslavia (Serbia and Montenegro)". My Government requests further that the relevant international monitors be sent to the Banja Luka and Vojvodina regions, to assure that no further harm comes to the non-Serbian population, and supports the concerns expressed by the Government of the Republic of Bosnia and Herzegovina in the letter submitted to you in this regard.

(Signed) Mate GRANIC
Deputy Prime Minister and
Minister for Foreign Affairs

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Security Council

Distr.
GENERAL

S/1995/415
24 May 1995

ORIGINAL: ENGLISH

LETTER DATED 24 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Weapons banned by the Geneva Conventions were today fired by the besieging Serbian forces into the exclusion zone within which, in theory, all heavy weapons are banned. According to the spokesman of the United Nations Protection Force (UNPROFOR), Lieutenant-Colonel Gary Coward, it was his "educated military guess" that some of the shells that landed in Sarajevo's market-place, as well as surrounding areas, contained prohibited "white phosphorous".

The situation within the safe area/exclusion zone of Sarajevo has managed to climb another level of the mound of absurd logic and broken promises in Bosnia and Herzegovina.

While within this safe area/exclusion zone established by Security Council resolutions, the population is to be protected against shelling by any heavy weapons; now all heavy weapons, including those banned by the Geneva Conventions, are turned with impunity and without response upon the population of Sarajevo. These actions mock the rule of law, the United Nations and the North Atlantic Treaty Organization (NATO). It is the duty of the Security Council and the relevant regional organizations to save their credibility and honour. However, it is once again Bosnian civilians who pay the heaviest price. It appears that within an exclusion zone against heavy weapons, internationally banned weapons are being tested against a city and its inhabitants, for the entire world to watch.

This absurd situation cannot be rationalized by United Nations spokesmen in the Republic of Bosnia and Herzegovina nor those in authority in New York through excuses for inaction, including the latest leap of logic: that the fight around Sarajevo is evenly matched and, therefore, the United Nations and NATO need not act. This is not an issue of military confrontation but rather the targeting of civilians by all means available, including banned weapons. By the latter logic (of some United Nations functionaries), the murder of innocent civilians by the Nazis was of no concern because the Allied Forces were more than an adequate match for the Nazi military forces.

Today, three more civilians were pruned from the tree of life in Sarajevo, and the mound of absurd logic engulfs new victims.

Please, demand the necessary steps to put an end to this human pruning.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative

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Security Council

Distr.
GENERAL

S/1995/416
25 May 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 24 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that the violations of Iraqi national airspace committed by United States aircraft in order to carry out reconnaissance and cause provocation continued over the period 12-20 May 1995.

12 May 1995

1. Southern region: 90 sorties, flown by two- to four-aircraft formations at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Artawi, Busayyah, Qurnah, Basra, Nasiriyah, Samawah, Lasaf and Jalibah.

2. On 12 May 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in the southern region, as follows:

The first flight entered Iraqi airspace at 1000 hours and left in the direction of Kuwait at 1120 hours.

The second flight entered Iraqi airspace at 1345 hours and left in the direction of Kuwait at 1515 hours.

3. At 1640 hours on 12 May 1995 a hostile two-aircraft formation broke the sound barrier in the Jalibah area.

13 May 1995

1. Northern region: 6 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Irbil, Dohuk, Zakho and Amadiyah.

2. Southern region: 61 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Qurnah, Nasiriyah, Samawah, Salman, Shanafiyah and Busayyah.

3. On 13 May 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in the southern region, as follows:

The first flight entered Iraqi airspace at 0833 hours and left in the direction of Kuwait at 1035 hours.

The second flight entered Iraqi airspace at 1207 hours and left in the direction of Kuwait at 1215 hours.

14 May 1995

1. Northern region: 9 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Zakho, Dohuk, Amadiyah, Irbil, Aqrah and Mosul.

2. Southern region: 61 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Basra, Qurnah, Chabaish and Busayyah.

3. At 1035 hours on 14 May 1995, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated Iraqi airspace. It left in the direction of Kuwait at 1118 hours.

15 May 1995

1. Northern region: 19 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Irbil, Zakho, Dohuk, Aqrah, Tall Afar and Amadiyah.

2. Southern region: 91 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Basra, Qurnah, Jalibah, Busayyah, Salman and Artawi.

3. On 15 May 1995, three United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in the southern region, as follows:

The first flight entered Iraqi airspace at 0820 hours and left in the direction of Kuwait at 0940 hours.

The second flight entered Iraqi airspace at 1000 hours and left in the direction of Kuwait at 1148 hours.

The third flight entered Iraqi airspace at 1112 hours and left in the direction of Kuwait at 1220 hours.

16 May 1995

1. Northern region: 12 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Irbil, Dohuk, Amadiyah and Tall Afar.

2. Southern region: 90 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Chabaish, Artawi, Jalibah and Busayyah.

3. On 16 May 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in the southern region, as follows:

The first flight entered Iraqi airspace at 0925 hours and left in the direction of Kuwait at 1120 hours.

The second flight entered Iraqi airspace at 1212 hours and left in the direction of Kuwait at 1415 hours.

4. At 1937 hours on 16 May 1995 a hostile two-aircraft formation broke the sound barrier over Nasiriyah.

17 May 1995

1. Northern region: 15 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Dohuk, Irbil, Tall Afar, Ayn Zalah, Zakho and Amadiyah.

2. Southern region: 60 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Basra, Nasiriyah, Samawah, Qurnah, Chabaish, Qal'at Salih, Salman, Busayyah, Jalibah and Artawi.

18 May 1995

1. Northern region: 17 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Dohuk, Irbil, Aqrah and Tall Afar.

2. Southern region: 32 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Basra, Qurnah, Chabaish, Shanafiyah and Artawi.

3. At 0705 hours on 18 May 1995, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated Iraqi airspace in the southern region. It left in the direction of Kuwait at 0822 hours.

19 May 1995

1. Southern region: 60 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Samawah, Nasiriyah, Salman, Artawi, Busayyah and Jalibah.

2. On 19 May 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in the southern region, as follows:

The first flight entered Iraqi airspace at 0858 hours and left in the direction of Kuwait at 1040 hours.

The second flight entered Iraqi airspace at 1145 hours and left in the direction of Kuwait at 1335 hours.

20 May 1995

1. Northern region: 21 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Dohuk, Aqrah, Amadiyah and Zakho.

2. Southern region: 51 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Basra, Nasiriyah, Qurnah, Chabaish and Artawi.

3. At 0700 hours on 20 May 1995, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated Iraqi airspace in the southern region. It left in the direction of Kuwait at 0820 hours.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/417
25 May 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 22 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that the violations of Iraqi national airspace committed by United States aircraft in order to carry out reconnaissance and cause provocation continued over the period 1-11 May 1995.

1 May 1995

(a) Northern region: 15 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Zakho, Dohuk, Amadiyah, Aqrah, Tall Afar, Mosul, Irbil and Ayn Zalah.

(b) Southern region: 47 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Artawi, Jalibah, Qurnah, Chabaish, Nasiriyah, Samawah, Shatrah and Rumaythah.

2 May 1995

(a) Northern region: 17 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Irbil, Dohuk, Tall Afar, Zakho and Amadiyah.

(b) Southern region: 45 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Salman, Qurnah, Hamzah and Artawi.

3 May 1995

Southern region: 34 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, the area to the south of Diwaniyah, Salman, Jalibah, Artawi and Busayyah.

At 1347 hours on 3 May 1995, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated Iraqi airspace in the southern region. It left in the direction of Kuwait at 1450 hours.

4 May 1995

(a) Northern region: 14 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Zakho, Amadiyah, Ayn Zalah, Mosul, Irbil, Aqrah and Dohuk.

(b) Southern region: 27 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Artawi, Jalibah, Busayyah, Chabaish, Qurnah, Nasiriyah, Samawah, Shatrah and Salman.

At 1000 hours on 4 May 1995, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated Iraqi airspace in the southern region. It left in the direction of Kuwait at 1154 hours.

On 3 May 1995 a hostile formation consisting of four Tornado aircraft overflew Ninawa Governorate at low altitude.

5 May 1995

(a) Northern region: 17 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Irbil, Dohuk, Tall Afar, Aqrah, Zakho and Amadiyah.

(b) Southern region: 29 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Basra, Amarah, Salman, Artawi, Qurnah and Busayyah.

On 5 May 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in the southern region, as follows:

1. The first flight entered Iraqi airspace at 1020 hours and left in the direction of Kuwait at 1145 hours.

2. The second flight entered Iraqi airspace at 1333 hours and left in the direction of Kuwait at 1500 hours.

6 May 1995

Southern region: 28 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Basra, Nasiriyah, Samawah, Salman, Jalibah, Artawi and Busayyah.

At 1400 hours on 6 May 1995, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated Iraqi airspace. It left in the direction of Kuwait at 1433 hours.

7 May 1995

(a) Northern region: 15 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Zakho, Amadiyah, Dohuk, Ayn Zalah, Mosul, Irbil, Tall Afar and Shaqlawah.

(b) Southern region: 62 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Artawi, Jalibah, Busayyah, Chabaish, Qurnah, Nasiriyah, Salman, the area to the south of Diwaniyah, the area to the south of Najaf, Lasaf, Shanafiyah and Shatrah.

At 1608 hours on 7 May 1995, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated Iraqi airspace. It left in the direction of Kuwait at 1735 hours.

8 May 1995

(a) Northern region: 21 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Irbil, Dohuk, Zakho, Tall Afar and Amadiyah.

(b) Southern region: 54 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Amarah, Qurnah, Busayyah, Jalibah and Artawi.

9 May 1995

(a) Northern region: 11 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Mosul, Irbil, Dohuk, Tall Afar, Zakho and Amadiyah.

(b) Southern region: 75 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Salman, Basra, Amarah, Jalibah and Busayyah.

On 9 May 1995, three United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in the southern region, as follows:

1. The first flight entered Iraqi airspace at 1005 hours and left in the direction of Kuwait at 1128 hours.

2. The second flight entered Iraqi airspace at 1130 hours and left in the direction of Kuwait at 1325 hours.

3. The third flight entered Iraqi airspace at 1320 hours and left in the direction of Kuwait at 1500 hours.

At 1048 hours on 9 May 1995, a hostile two-aircraft formation dropped five heat flares to the south of the Qush area in Ninawa Governorate.

10 May 1995

Southern region: 60 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Artawi, Jalibah, Busayyah, Chabaish, Nasiriyah, Samawah, Hamzah and Basra.

On 10 May 1995, two United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated Iraqi airspace in the southern region, as follows:

1. The first flight entered Iraqi airspace at 1015 hours and left in the direction of Kuwait at 1140 hours.

2. The second flight entered Iraqi airspace at 1305 hours and left in the direction of Kuwait at 1502 hours.

11 May 1995

Southern region: 126 sorties, flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, over Nasiriyah, Samawah, Basra, Amarah, Qurnah, Chabaish and Ushbayjah.

At 1347 hours on 11 May 1995, a hostile two-aircraft formation broke the sound barrier in the Nasiriyah area.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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General Assembly
Security Council

Distr.
GENERAL

A/50/191
S/1995/418
25 May 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Items 42, 44 and 85 of
the preliminary list*
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE
EAST
REPORT OF THE SPECIAL COMMITTEE
TO INVESTIGATE ISRAELI
PRACTICES AFFECTING THE HUMAN
RIGHTS OF THE PALESTINIAN
PEOPLE AND OTHER ARABS OF THE
OCCUPIED TERRITORIES

SECURITY COUNCIL
Fiftieth year

Identical letters dated 24 May 1995 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and to the President of the Security Council

As you know, draft resolution S/1995/394, which was sponsored by the members of the Security Council that are members of the Movement of Non-Aligned Countries and which was put to a vote by the Council on 17 May 1995, received 14 votes but was not adopted owing to the casting of a negative vote by a permanent member of the Council, namely the United States of America.

However, all Member States that spoke before the Council during the consideration of the issue of the illegal Israeli confiscation orders of 53 hectares of land in occupied East Jerusalem, as well as all Council members, including the United States, at the least expressed disagreement with the Israeli action.

* A/50/50.

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At a later stage, it was brought to our attention that the Israeli Cabinet, in an emergency meeting on 22 May 1995, decided to "suspend the expropriation of 53 hectares of land in Jerusalem". This came in addition to the decision by the Israeli Government on 15 May 1995, which was brought to the attention of some members of the Council and which stated, inter alia, that "the Cabinet has no intention to carry out additional expropriation of land in Jerusalem for housing purposes". While both of these actions could be considered as steps in the correct direction to meet the position of the international community on the issue, they are hardly enough to satisfy previous relevant Security Council resolutions and international law. In this regard, we look forward to complete and scrupulous compliance by Israel, the occupying Power.

In any event, these and other relevant developments should be followed closely by the Council. We strongly believe that the Council ought to remain seized of the matter and keep itself apprised of any further Israeli steps with regard to the land in question, with the aim of ensuring that the illegal confiscation orders will not be carried out and that no building will take place on that land or any other land in the occupied Palestinian territory, including Jerusalem.

I would be grateful if you would arrange to have the text of the present letter discributed as a document of the General Assembly, under items 42, 44 and 85 of the preliminary list, and of the Security Council.

(Signed) Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations

UNITED
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Security Council

Distr.
GENERAL

S/1995/419
25 May 1995

ORIGINAL: ENGLISH

LETTER DATED 24 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

The recently intensified crimes of ethnic cleansing, murder, torture and destruction of religious sites directed against the Catholic inhabitants of the Banja Luka region by the Serbian occupation authorities continues unabated.

Maybe we all have become immune to the most immediate victims, the Catholics, Gypsies, Muslims and others, in the Banja Luka region of Serbian campaigns of ethnic cleansing and persecution after so many crimes have already been effectively overlooked without adequate response. Other more cynical parties have come to rationalize these crimes by the often promoted but bankrupt view employed to justify no response, that is that all are engaged in these types of crimes. Besides being untrue, this argument lacks both a moral and a legal foundation.

Three years ago in the Banja Luka region, ethnic cleansing, really genocide, was perpetuated against the non-Serb population of the area without provocation or even preceding fighting in any of the victimized villages and towns. In fact, the systematic campaign against the Muslims culminated with the destruction of all mosques and Islamic religious sites in the region. The Serbian extremists have now used the fighting in Western Slavonia as a most convenient pretext to complete their repugnant work against the Catholic population, in particular. Unfortunately, some are only too prepared to give credence to real or imagined pretexts, ignoring the moral, and logical, flows of their arguments.

Some United Nations officials may have overlooked the international border between the Republic of Croatia and the Republic of Bosnia and Herzegovina, as well as our sovereignty, when offering in writing to transfer not only Serb civilians but also armed Serbian combatants from Western Slavonia across the border into our country.

This signals inadequate and inappropriate sensitivity to our sovereignty and international border. We hope that this insensitivity does not also extend to rationalizing, by real or fabricated pretexts, the victimization of our innocent civilian population.

May I ask for your kind assistance in distributing this letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Permanent Representative

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/420
25 May 1995

ORIGINAL: ENGLISH

LETTER DATED 25 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We welcome the substance of yesterday's ultimatum by the Commander of the United Nations Protection Force (UNPROFOR) in the Republic of Bosnia and Herzegovina regarding heavy weapons. We also welcome today's limited actions by the North Atlantic Treaty Organization (NATO) in conjunction with the ultimatum and appreciate the courage and commitment of the pilots involved in this overdue response. With respect to the request/"ultimatum", we expressed our willingness in February 1994 to comply voluntarily, even though no such compliance is required of us by Security Council resolutions or could be consistent with our sovereignty. Once again, we renew our offer to comply voluntarily in conjunction with a sincere UNPROFOR effort to keep its own commitment.

In the first sentence of the communiqué of 24 May 1995 from the Commander of UNPROFOR in the Republic of Bosnia and Herzegovina, the statement assesses that "both the Bosnian Serb and the Bosnian Government armies continued to flout the heavy weapons exclusion zone and the United Nations-declared safe area".

First, no new ultimatum would have been necessary if, in fact, the first ultimatum had been honoured by the United Nations Command (which ignored so many increasingly violative attacks upon Sarajevo and its population in recent weeks and explicitly rejected calls for air strikes against the besiegers);

Second, the so-called Bosnian Serbs have engaged in a steadily increasing project of reintroducing heavy weapons into the exclusion zone and employing such against the civilian population. Once UNPROFOR clearly exhibited its lack of will to stop these violations, only then did our Government respond in self-defence;

Third, three parties must, in fact, honour the exclusion zone/safe area: the so-called Bosnian Serbs, the Bosnian Government forces and UNPROFOR (and by extension, NATO). The Serbians were the first to violate the exclusion zone. When UNPROFOR failed to respond to this violation and honour its commitments, UNPROFOR was the second to violate the exclusion zone. Do not then expect our Government forces to watch idly. In this case, after the so-called Bosnian Serbs, it is UNPROFOR that has engaged in the "flaunting" of the exclusion zone.

Therefore, we do not appreciate being lectured to or threatened by a command which, by its own words, did not react to earlier Serbian violations and murder of our civilians because such command gave first priority and concern regarding Serbian reprisals. When UNPROFOR and NATO are faithfully committed to executing their mandate as their first priority, then we are prepared to delegate the responsibility to protect and deter attacks against our civilian population. However, when UNPROFOR, by deed and word, expresses its own intention not to respond to attacks upon and tolerate the ever-tightening strangulation of Sarajevo (and thereby flouts its own commitments), we must fully reassume our sovereign obligation to defend our population and city;

Fourthly, now that the UNPROFOR Command once again seems to be verbalizing its preparedness to live up to its previous obligations, then we also can redelegate that relevant part of this responsibility.

But, to the UNPROFOR commanders and spokesmen, we say: please save the righteous and self-serving preaching. It is hollow and pretentious to preach when you bear so much of the fault for the current deteriorated situation, and we have so many more murdered and maimed innocents to suffer as a consequence of your lack of will to carry out your mandate, your duty. It is shameful that even now efforts are made to hide your culpability by lecturing the victims and those who had no option but to compensate for your lack of will to keep the commitments you were entrusted with. When in our last meeting in Sarajevo on 30 April 1995 I directly informed Mr. Akashi, General Janvier, General Smith and other UNPROFOR functionaries of the shelling of the blue route within the exclusion zone which I had personally witnessed, their collective reaction was that they did not have the means to respond on the ground and feared the consequences of Serbian reprisals to air strikes. When I then stated that the only option for me was to recommend to my Government that we redeploy our heavy weapons in the area to compensate for this lack of will or means to maintain the commitment regarding the exclusion zone, there was only a shrug of the shoulders and indifference. At that time they could have said, do not do that - there is no need - we will keep our commitment. Instead, they only reasserted their vulnerability and concern for reprisals.

We will cooperate. UNPROFOR, and by extension NATO, this time, keep your promises. In the meantime, once again, we express our thanks for today's step and voice our sincere wish that this expression of will shall be maintained and that in the future, commitments will not be marginalized or forgotten.

Finally, let me emphasize that our Government and I, personally, have the highest respect for the courage and commitment of the individuals serving within UNPROFOR and NATO. We also appreciate the most difficult task of UNPROFOR commanders and civilian representatives. But, once again to the UNPROFOR commanders and spokesmen we emphasize: you cannot avoid your responsibility or danger by marginalizing your mandate. And we will certainly not sit by idly or, worse, allow you to deflect culpability by your degradation of the moral or legal position of our country, soldiers and people.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/421
25 May 1995

ORIGINAL: ENGLISH

LETTER DATED 23 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to bring to your attention the following instances of violations by Iraq of the terms of the cease-fire between the two countries.

1. On 16 January 1995, at 1000 hours, 37 Iraqi military men and civilians were observed getting off a mini-bus near the geographical coordinates of TP 143-786 on the map of Nim-Istgah Navad, in no man's land, west of border pillars 4/4, 5 and 5/1.

2. On 16 January 1995, at 1300 hours, Iraqi forces deployed a single-barrelled anti-aircraft gun near the geographical coordinates of NC 592-322 on the map of Kani-Sheik, in no man's land north-west of border pillars 40, 40/A and 40/1.

3. On 19 January 1995, Iraqi forces built four walls on top of Iraq's Chalaie sentry post at the geographical coordinates of NC 432-655 on the map of Naftshahr, in no man's land west of Kaneh-Kaboud border river, and installed a satellite antenna.

4. On 21 January 1995, at 0850 hours, a mortar shell was fired by Iraqi forces, which struck the territory of the Islamic Republic of Iran near the geographical coordinates of TQ 161-131 on the map of Hosseinieh, south of border pillar 7/21.

5. On 21 January 1995, at 1150 hours, two Iraqi tug-boats were observed tugging a ship near the geographical coordinates of TP 536-260 on the map of Khosro-Abad, in no man's land east of Iraq's Ma'amir river.

6. On 21 January 1995, at 2015 hours, three flares were fired by Iraqi forces at the geographical coordinates of PV 560-490 on the map of western Jofair 2, about 12 kilometres from north of border pillar 14/3.

7. On 27 January 1995, at 1520 hours, crossing the thalweg line and violating the Iranian waters, an Iraqi motor boat approached the geographical coordinates of TP 277-697 on the map of Khorramshahr, opposite the confluence of the Karoun and the Arvand Rud, and retreated into Iraqi waters when confronted with the reaction of the Iranian coastal police.

8. On 31 January 1995, crossing the border and penetrating 15 kilometres into the territory of the Islamic Republic of Iran, 20 antirevolutionary elements entered Shiwakan village at the geographical coordinates of NF 390-240 on the map of Alavan, south-east of Spit-Darreh and Alvatan and east of Jasusa mountain and Cham-Glooh and border pillar 116 and Zirwineh mountain. There, they gathered the villagers and made a speech against the Islamic Republic of Iran. Then they extorted money from the villagers and tribesmen and fled into the territory of Iraq.

9. On 2 February 1995, at 0930 and 1330 hours, two mechanical shovels were observed being used by Iraqi forces at the geographical coordinates of TP 520-260 on the map of Khosro-Abad in no man's land south of Ma'amir stream and North Khalfan stream in Iraq.

10. On 8 February 1995, at 1330 hours, five bullets were fired by Iraqi forces from near the geographical coordinates of NC 548-416 on the map of Sumar, in no man's land, 700 metres west of border pillar 43 and north of Mian-Tang, towards the territory of the Islamic Republic of Iran.

11. On 9 February 1995, 32 Iraqi motor boats with a total of 95 personnel were observed patrolling the Arvand Rud.

12. On 9 February 1995, 10 antirevolutionary elements, after crossing the border and penetrating into the territory of the Islamic Republic of Iran in no man's land near the geographical coordinates of NE 770-650 on the map of Baneh, south of Sour-Ab, north-east of border pillar 99/5 and Aseman-Bin Heights, began extorting money from the villagers.

13. On 10 and 11 February 1995, a total of four Iraqi planes and a helicopter were observed flying at low altitude near the geographical coordinates of TP 4300-550 on the map of Abadan, in no man's land, south of Iraq's Al-Dowib and Al-Mechri stream, and at the geographical coordinates of TP 455-470 on the map of Khosro-Abad, in no man's land near Iraq's Kout Al-Mechri and the geographical coordinates of TP 600-170 on the map of Ali-Shir, in no man's land inside Iraqi territory.

14. On 11 February 1995, 43 Iraqi motor boats with a total of 60 personnel were observed patrolling the Arvand Rud.

It would be highly appreciated if this letter was circulated as a document of the Security Council.

(Signed) Kamal KHARRAZI
Permanent Representative

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/422
25 May 1995
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 25 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF MOROCCO TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith the Declaration adopted on 18 May 1995 in Rabat by the Meeting of Foreign Ministers of the Contact Group of the Organization of the Islamic Conference on Bosnia and Herzegovina (see annex), and to request that you have this letter and its annex circulated as a document of the Security Council.

(Signed) Ahmed SNOUSSI
Ambassador
Permanent Representative

95-15697 (E) 250595 250595 260595

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Annex

[Original: English and French]

Declaration of the Meeting of Foreign Ministers of the OIC Contact Group on Bosnia and Herzegovina

Rabat, 18 May 1995

1- The Contact Group of the Organization of the Islamic Conference on Bosnia and Herzegovina met at ministerial level in Rabat, Kingdom of Morocco, on 18 May 1995 under the chairmanship of H.E. Abdellatif Filali, Prime Minister and Minister of Foreign Affairs and Cooperation and President of the XXIInd Islamic Conference of Foreign Ministers of the OIC. The meeting was attended by the Foreign Ministers and Heads of Delegations from Morocco, Egypt, Iran, Malaysia, Pakistan, Saudi Arabia, Senegal, Turkey and the OIC Secretary General. Indonesia and Bangladesh attended the meeting as invitees. The Minister of Foreign Affairs, Mr. Irtan Ljubijankic and the Minister of Cooperation with the United Nations of the Republic of Bosnia and Herzegovina, Dr. Hassan Muratovic, updated the Ministers on the latest developments in Bosnia and Herzegovina.

2- The Foreign Ministers and Heads of delegation were honoured with an audience with His Majesty Hassan II, King of Morocco and Chairman of the Seventh Islamic Conference. They highly appreciated the inspiring guidelines and action-oriented measures envisaged by His Majesty The King, in the search of a just solution to the problem of Bosnia and Herzegovina.

3- The Ministers noted, particularly that the cease-fire is over, the Security Council is silent, NATO is not willing to act, the International Contact Group is unable to proceed with its own Peace Plan, UNPROFOR has not been able to protect the safe areas. There exists a threat of pull-out by UNPROFOR and the Serbian attacks are on the rise. They observed that this situation has culminated in unprecedented human suffering by the people of Bosnia and Herzegovina in their struggle to maintain its sovereignty and territorial integrity.

4- The Foreign Ministers:

- Condemned the continuation of aggression by the Serbs and their genocidal policy of ethnic cleansing in the occupied territories of the Republic of Bosnia and Herzegovina, their intransigent refusal to accept the Peace Plan, their persistent violations of exclusion zones and safe areas of Sarajevo, Gorazde, Zepa, Srebrenica, Bihac and Tuzla, their attacks on civilian population and their hindering of humanitarian supply operations.

- Also condemned the continued breaches of human rights by the Serbs in Bosnia and Herzegovina as well as in Sandjak, Kosovo and Vojvodina and urged the relevant international organizations to ensure effective monitoring of human rights.

- Expressed disappointment over the continuation of the policy of appeasement to the Serb aggressors pursued by some members of the United Nations Security Council and deplored all direct and indirect assistance to the Serb aggressors.

- Expressed their deep dismay over the lack of commitment by the mediating Powers to take immediate and resolute action to prevail upon the Serbs to accept the Peace Plan and to stop systematic violations of Security Council resolutions.

5- They recalled the Declaration by the Seventh Islamic Summit on Bosnia and Herzegovina, reiterated their position that arms embargo decreed by the United Nations Security Council neither legally nor morally applies to the Republic of Bosnia and Herzegovina.

6- The Foreign Ministers welcomed the progress made by the International War Crime Tribunal and encouraged the Tribunal to vigorously carry out its mandate and called upon the international community to lend their maximum possible support to the Tribunal.

7- The Ministers decided to:

a- Call for an urgent special session of the General Assembly and instruct the OIC Contact Group in New York to mobilize support for that purpose with a view to adopting, inter alia, the Five Nation Contact Groups Peace Plan.

b- Instruct the Contact Group in Geneva to continue to meet with the International Contact Group and call for a joint Ministerial meeting.

c- Communicate to the United Nations Secretary-General as well as to specific troop contributing Governments their serious concern over the inability of UNPROFOR to protect the exclusion zones and safe areas and their readiness to contribute further in troops and equipment to ensure effective action by UNPROFOR, particularly in the event of withdrawal of UNPROFOR units.

d- Mobilize assistance for Bosnia and Herzegovina to ensure its legitimate self defence.

e- Pursue the implementation in good faith of the accord between Croatia and Bosnia and Herzegovina as well as the constitution of the Federation of the Republic of Bosnia and Herzegovina.

f- Insist on mutual and simultaneous recognition of all newly born States of the former Yugoslavia, as a prerequisite to the suspension of sanctions.

g- Assist Bosnia and Herzegovina in revitalizing its economy with the objective of its self-reliability, in accordance with the Casablanca Resolutions and Declaration on Bosnia-Herzegovina.

h- Mobilize and enhance humanitarian aid to Bosnia and Herzegovina.

8- The Ministers welcomed all efforts aimed at advancing the peace process and decided to follow up closely the development of this issue.

9- The Ministers expressed their deep appreciation to the Government and people of the Kingdom of Morocco for their generous hospitality.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/423
26 May 1995

ORIGINAL: ENGLISH

LETTER DATED 26 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Yesterday, the United Nations Protection Force (UNPROFOR) and the North Atlantic Treaty Organization (NATO) responded in limited terms, as they promised, to the most recent Serbian violative acts. The Serbian retaliation, that was to be expected, was brutal and directed at the most defenseless. At least 71 civilians, mostly teenagers, were directly targeted and murdered in Tuzla, while many other young lives were maimed. All the other safe areas were also intentionally targeted. The message was clear - neither the United Nations nor NATO can protect civilians anywhere in Bosnia and Herzegovina, and especially in the areas where they are supposed to be safest: the so-designated safe areas.

Most directly, the Serbian murder of these 71 people was nothing less than a terrorist act to be condemned and dealt with as any terrorist act in any other country. Its purpose was not only to brutalize, but to induce the international community and the Bosnians to lose their resolve.

We, the Bosnians, have now once again paid a heavy price. Do not make us pay an even heavier price by losing resolve and succumbing to terrorism.

We demand that the Security Council urgently meet and condemn directly these terrorist actions.

May I ask for our kind assistance in circulating this letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Permanent Representative

95-15798 (E) 260595 270595

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/424
26 May 1995

ORIGINAL: ENGLISH

LETTER DATED 26 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith a letter dated 26 May 1995 from H.E. Mr. Alija Izetbegovic, President of the Republic of Bosnia and Herzegovina, addressed to you.

May I ask for your kind assistance in distributing this letter and its attachment as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Permanent Representative

95-15805 (E) 260595 270595

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Annex

Letter dated 26 May 1995 from the President of the Republic of Bosnia and Herzegovina addressed to the President of the Security Council

The international community no longer notices the wounds in the bleeding body of Bosnia, evidenced by the massacres of civilians, that would, if they happened anywhere else in the West, cause shock and would be followed by resolute action against the perpetrators.

Last night Karadzic's Serbs killed 71 and severely wounded more than 100 young men and women gathered at a youth meeting point in Tuzla. The eldest victim was only 28.

The aggressor wanted exactly this outcome.

The Security Council has particular responsibility in defending and protecting the international order and norms it is based upon.

This international order is gravely challenged.

Bosnia and its people expect that you will not yield to blackmail and violence.

(Signed) Alija IZETBEGOVIC

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/425
26 May 1995

ORIGINAL: ENGLISH

LETTER DATED 26 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

This morning we offered a letter to the Security Council asking for an emergency meeting of the Council in order to condemn the slaughter of 71 young people in Tuzla as a terrorist act. We did not ask the Council to authorize any new mandates nor order any action.

The Council did subsequently condemn through a statement to the press both the "shelling of the safe areas" and the taking of United Nations hostages. I am saddened to herald that this was a woefully inadequate response.

We are profoundly disappointed that the Security Council as a whole could not find the necessary collective will to call this crime for what it is - a terrorist act. This act may also be a shelling of a safe area, or reprehensible behaviour; however, it should be identified by the Council for what it really is. The Serbian command that ordered the firing of these mortars into Tuzla knew exactly who were the targets and intended this brutalization and murder of these civilians just as if they had parked a car bomb next to the targeted victims.

Why is this not a terrorist act in Bosnia and Herzegovina, but would be characterized as such whether in London, Paris, Washington, Moscow, Beijing, or any other town? I am afraid this is not just an issue of semantics or double standards. Some Council members are intent on characterizing the deliberate murder of teenagers in terms that allude to an act of war rather than an act of terrorism in order to preserve the option of once again accommodating the terrorist. We all know the logic of this terminology. One does not negotiate or compromise with terrorists, but respond with resolve. On the other hand, it is politically acceptable to negotiate, accommodate, compromise or even accept the realities on the ground when dealing with a "warring party".

Let us be clear. For us, the murder of 71 and the maiming of countless others in Tuzla is a terrorist act. It is up to the Council members collectively and individually to determine for themselves whether this, as well as the shackling of and threats against United Nations hostages, are acts of war or terrorism. However, one final observation: succumbing to terrorist demands breeds new terrorist demands and acts.

We once again appeal to the Council members to set aside semantics and collectively to condemn the murder of innocents as a terrorist act.

May I ask for your kind assistance in distributing this letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/426
26 May 1995
ENGLISH
ORIGINAL: ENGLISH AND FRENCH

Draft resolution

The Security Council,

Reaffirming its resolutions 621 (1988) of 20 September 1988, 658 (1990) of 27 June 1990, 690 (1991) of 29 April 1991, 725 (1991) of 31 December 1991, 809 (1993) of 2 March 1993, 907 (1994) of 29 March 1994 and 973 (1995) of 13 January 1995,

Recalling the statement by the President of the Security Council of 12 April 1995 (S/PRST/1995/17),

Noting the Secretary-General's report of 19 May 1995 (S/1995/404),

1. Reiterates its commitment to holding, without further delay, a free, fair and impartial referendum for self-determination of the people of Western Sahara in accordance with the Settlement Plan which has been accepted by the two parties;

2. Commends the progress in identifying potential voters since the beginning of the year;

3. Expresses concern, however, that certain practices identified in the Secretary-General's report are hampering further progress towards the implementation of the Settlement Plan and underlines the need for the parties to heed the Secretary-General's call on them to work with the United Nations Mission for the Referendum in Western Sahara (MINURSO) in a spirit of genuine cooperation;

4. Decides in this context, and with a view to accelerating the implementation of the Settlement Plan, to send a mission of the Council to the region;

5. Decides, therefore, to extend at this stage the present mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 June 1995;

6. Decides to consider the further extension of the mandate of MINURSO beyond 30 June 1995 in the light of the Secretary-General's report of 19 May 1995 and the report of the Security Council mission referred to in paragraph 4 above;

7. Decides to remain seized of the matter.

95-15865 (E) 260595 270595

UNITED
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General Assembly
Security Council

Distr.
GENERAL

A/49/905
S/1995/427
26 May 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 51
QUESTION OF CYPRUS

SECURITY COUNCIL
Fiftieth year

Letter dated 26 May 1995 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to draw your attention to new violations of the airspace of the Republic of Cyprus by Turkey's military air force, which were recorded as follows:

On 3 May 1995:

(a) From 1023 to 1107 hours, two Turkish Air Force fighter aircraft entered the northern flight information region (FIR) of Nicosia, at a speed of 360 knots and at an altitude of 500 to 9,000 feet;

(b) From 1110 to 1148 hours, two Turkish Air Force fighter aircraft entered the northern FIR of Nicosia, at a speed of 429 knots and at an altitude of 3,400 to 9,000 feet;

(c) From 1121 to 1210 hours, two Turkish Air Force F-4 fighter aircraft entered the northern FIR of Nicosia, at a speed of 370 knots and at an altitude of 500 to 9,000 feet.

On behalf of the Government of the Republic of Cyprus, I wish to protest strongly these new violations of the airspace of the Republic. These aggressive actions of the Turkish Government violate the sovereignty and territorial integrity of the Republic of Cyprus and are contrary to the Charter of the United Nations as well as the resolutions of the General Assembly and of the Security Council on the question of Cyprus.

95-15848 (E) 300595 310595

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I should be grateful if you would have the present letter circulated as a document of the forty-ninth session of the General Assembly, under agenda item 51, and of the Security Council.

(Signed) Alecos SHAMBOS
Permanent Representative

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/428
26 May 1995
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 26 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF MOROCCO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith a statement by the Contact Group of the Organization of the Islamic Conference on Bosnia and Herzegovina (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Ahmed SNOUSSI
Ambassador
Permanent Representative
Chairman of the Organization of
the Islamic Conference

95-15877 (E) 260595 260595 270595

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Annex

[Original: English]

Statement by the Contact Group of the Organization of the Islamic Conference on Bosnia and Herzegovina

The Contact Group of the Organization of the Islamic Conference on Bosnia and Herzegovina strongly condemns the cowardly terrorist attacks by the Pale Serbs on the safe areas which have taken the lives of over 80 defenceless civilians, mainly children. These terrorist acts constitute war crimes and are in direct defiance of the will of the international community.

We call upon the Security Council, the United Nations Protection Force (UNPROFOR) and the North Atlantic Treaty Organization (NATO) to live up to their commitments and obligations under relevant Security Council resolutions and NATO decisions, and to give a robust and resolute response to these barbaric and heinous terrorist attacks on the innocent civilian people of Bosnia and Herzegovina.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/429
26 May 1995

ORIGINAL: ENGLISH

LETTER DATED 26 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF AFGHANISTAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the text of the joint declaration of Imam Ali Rahmanov, President of the Republic of Tajikistan, and Sayed Abdullah Nouri, Chairman of the Islamic Revival Movement of Tajikistan, issued at Kabul, Afghanistan, on 19 May 1995.

I should be grateful if you would circulate the present letter and its annex as a document of the Security Council.

(Signed) Ravan FARHADI
Ambassador
Permanent Representative

95-15888 (E) 260595 300595

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Annex

Joint Declaration by the President of Tajikistan and the Chairman of the Islamic Revival Movement of Tajikistan dated 19 May 1995

We:

Imam Ali Rahmanov, President of the Republic of Tajikistan, and Sayed Abdullah Nouri, Chairman (Rayis) of the Islamic Revival Movement of Tajikistan (Herakat-e Nahdat-e Islami Tajikistan),

Considering the high interests of the Tajik people and of our long-suffering country, aiming at establishing peace and tranquillity in Tajikistan and preparing suitable conditions for development and prosperity in Tajikistan, we have been meeting from 17 to 19 May 1995 at Kabul, Afghanistan.

We jointly worked to evaluate broadly and deeply the major aspects of the problems the Tajiks are facing. The exchange of views took place in an atmosphere of sincerity and in an outspoken way. This was required because the solution to the problems is firmly linked to the destiny and the interests of the entire Tajik people and of the countries of the region.

In the course of the meeting, both sides pledged their readiness for a solution to the main problems of the country, including the necessity to terminate the endless discords prevailing among the Tajiks and to secure their complete understanding and agreement on a cease-fire, three months for the time being, the return of the refugees to their places of origin and complete stability of the situation in Tajikistan.

We consider that the convening of this meeting has been highly useful. the result of this meeting will be proclaimed and discussed in detail at the fourth inter-Tajik round of negotiations.

On this occasion we have to declare outrightly and openly in a realistic way that there is still disagreement between us over some basic issues. We have committed ourselves to continue our search for a solution to the problems which are destiny-making for Tajikistan. Our plenipotentiary representatives will continue their negotiation on the matter.

We consider as highly useful the agreements and commitment which we have reached on holding subsequent talks. But the real importance of what we have agreed upon lies in the practical steps to be taken for the implementation of these agreements. For this purpose both sides should work hard.

In this regard we declare that the Tajik, parties would spare no effort for the settlement of their problems through political means and dialogue which could pave the way for a lasting peace in our homeland.

We declare this commitment with a full sense of responsibility before our people and the peoples of the region. The Tajik people are waiting impatiently

for the positive outcome of the present negotiations. The neighbouring countries and the world are looking forward to that in the same manner.

We are also encouraged to see the sense of responsibility set forth by all observer States in this context. Availing ourselves of this opportunity, we express our appreciation to the United Nations and neighbouring and observer States involved in seeking a solution to the issue of Tajikistan. Undoubtedly, with their cooperation and support, the achievements of the Kabul meeting would bring about fruitful results.

We extend our sincere gratitude to His Excellency Professor Burhanuddin Rabbani, President of the Islamic State of Afghanistan, for his help in making arrangements for the meeting, for his hospitality and for bringing about a favourable climate of work to the parties.